
SECOND SUBSTITUTE HOUSE BILL 1201

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Roberts, Kagi, Haler, P. Sullivan, Walsh, Pettigrew, Darneille, Santos, McCoy, Ormsby, Wood, Dickerson, Clibborn, Schual-Berke, Simpson, Lantz, Hasegawa, Kenney, Pedersen and Seaquist)

READ FIRST TIME 02/26/07.

1 AN ACT Relating to extending medicaid coverage for foster care
2 youth who reach age eighteen; amending RCW 74.09.530; reenacting and
3 amending RCW 74.09.510; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 74.09.510 and 2001 2nd sp.s. c 15 s 3 and 2001 1st
6 sp.s. c 4 s 1 are each reenacted and amended to read as follows:

7 Medical assistance may be provided in accordance with eligibility
8 requirements established by the department, as defined in the social
9 security Title XIX state plan for mandatory categorically needy persons
10 and:

11 (1) Individuals who would be eligible for cash assistance except
12 for their institutional status;

13 (2) Individuals who are under twenty-one years of age, who would be
14 eligible for medicaid, but do not qualify as dependent children and who
15 are in (a) foster care, (b) subsidized adoption, (c) a nursing facility
16 or an intermediate care facility for ~~((the))~~ persons who are mentally
17 retarded, or (d) inpatient psychiatric facilities;

18 (3) ~~((the))~~ Individuals who:

19 (a) Are under twenty-one years of age; and

1 (b) On the individual's eighteenth birthday, were in foster care in
2 the state of Washington on or after the effective date of this act, and
3 for whom the department or a federally recognized Indian tribe has or
4 has had placement and care responsibility. For the purposes of this
5 subsection, "foster care" means twenty-four-hour substitute care for
6 children placed away from their parents or guardians and for whom the
7 state agency has placement and care responsibility. This includes, but
8 is not limited to, placements in foster family homes, foster homes of
9 relatives, group homes, emergency shelters, residential facilities,
10 child care institutions, and preadoptive homes. A child is in foster
11 care in accordance with this definition regardless of whether the
12 foster care facility is licensed and payments are made by the state or
13 local agency for the care of the child, whether adoption subsidy
14 payments are being made prior to the finalization of an adoption, or
15 whether there is federal matching of any payments that are made;

16 (4) Persons who are aged, blind, (~~and~~) or disabled who: (a)
17 Receive only a state supplement, or (b) would not be eligible for cash
18 assistance if they were not institutionalized;

19 ~~((4))~~ (5) Categorically eligible individuals who meet the income
20 and resource requirements of the cash assistance programs;

21 ~~((5))~~ (6) Individuals who are enrolled in managed health care
22 systems, who have otherwise lost eligibility for medical assistance,
23 but who have not completed a current six-month enrollment in a managed
24 health care system, and who are eligible for federal financial
25 participation under Title XIX of the social security act;

26 ~~((6))~~ (7) Children and pregnant women allowed by federal statute
27 for whom funding is appropriated;

28 ~~((7))~~ (8) Working individuals with disabilities authorized under
29 section 1902(a)(10)(A)(ii) of the social security act for whom funding
30 is appropriated;

31 ~~((8))~~ (9) Other individuals eligible for medical services under
32 RCW 74.09.035 and 74.09.700 for whom federal financial participation is
33 available under Title XIX of the social security act;

34 ~~((9))~~ (10) Persons allowed by section 1931 of the social security
35 act for whom funding is appropriated; and

36 ~~((10))~~ (11) Women who: (a) Are under sixty-five years of age;
37 (b) have been screened for breast and cervical cancer under the
38 national breast and cervical cancer early detection program

1 administered by the department of health or tribal entity and have been
2 identified as needing treatment for breast or cervical cancer; and (c)
3 are not otherwise covered by health insurance. Medical assistance
4 provided under this subsection is limited to the period during which
5 the woman requires treatment for breast or cervical cancer, and is
6 subject to any conditions or limitations specified in the omnibus
7 appropriations act.

8 **Sec. 2.** RCW 74.09.530 and 2000 c 218 s 2 are each amended to read
9 as follows:

10 (1) The amount and nature of medical assistance and the
11 determination of eligibility of recipients for medical assistance shall
12 be the responsibility of the department of social and health services.
13 The department shall establish reasonable standards of assistance and
14 resource and income exemptions which shall be consistent with the
15 provisions of the Social Security Act and with the regulations of the
16 secretary of health, education and welfare for determining eligibility
17 of individuals for medical assistance and the extent of such assistance
18 to the extent that funds are available from the state and federal
19 government. The department shall not consider resources in determining
20 continuing eligibility for recipients eligible under section 1931 of
21 the social security act.

22 (2) Individuals eligible for medical assistance under RCW
23 74.09.510(3) shall be transitioned into coverage under that subsection
24 immediately upon their termination from coverage under RCW
25 74.09.510(2)(a). The department shall use income eligibility standards
26 and eligibility determinations applicable to children placed in foster
27 care. The department, in consultation with the health care authority,
28 shall provide information regarding basic health plan enrollment and
29 shall offer assistance with the application and enrollment process to
30 individuals covered under RCW 74.09.510(3) who are approaching their
31 twenty-first birthday.

32 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
33 conflict with federal requirements that are a prescribed condition to
34 the allocation of federal funds to the state, the conflicting part of
35 this act is inoperative solely to the extent of the conflict and with
36 respect to the agencies directly affected, and this finding does not

1 affect the operation of the remainder of this act in its application to
2 the agencies concerned. Rules adopted under this act must meet federal
3 requirements that are a necessary condition to the receipt of federal
4 funds by the state.

5 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
6 act, referencing this act by bill or chapter number, is not provided by
7 June 30, 2007, in the omnibus appropriations act, this act is null and
8 void.

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